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CHADBOURNE & PARKE LLP
30 Rockefeller Plaza
New York NY 10112

In re Application of	:	
Ira Ekhaus	:	
Serial No.: 10/823,524	:	DECISION ON PETITION
Filed: April 12, 2004	:	
For: Adjustable Exercise Ball	:	

This is in response to applicants' petition filed December 21, 2004, to make the above-identified application special under the provisions of 37 CFR 1.102(d), based on infringement.

Applicant has satisfied the provisions set forth in M.P.E.P. 708.02, II. Therefore the petition is **GRANTED**.

The application will be forwarded to the examiner for action on the merits commensurate with this decision.

Should there be any questions with regard to this letter please contact Richard Bertsch by letter addressed to the Director, Technology Center 3700, or by telephone at (571) 272-4050 or by facsimile transmission at (703) 872-9306.

Richard A. Bertsch, Director
Technology Center 3700